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In re Application of
CASSES et al.
Application No.: 10/586,943
PCT No.: PCT/EP05/01399
Int. Filing Date: 09 February 2005
Priority Date: 12 February 2004
Attorney Docket No.: 003D.0106.U1(US)
For: SEALED ELECTRICAL CONNECTOR:
PART

DECISION ON
DECLARATION

This decision is on the submission of a declaration under PCT Rule 4.17, filed in the United States Patent and Trademark Office on 24 July 2007 in the above referenced application.

BACKGROUND

On 09 February 2005, applicant filed international application PCT/EP05/01399, claiming a priority date of 12 February 2004. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 22 September 2005. The deadline for entry into the national stage in the United States was 12 August 2006.

On 24 July 2006, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the basic national fee.

On 09 April 2007, the Office mailed Notification of Missing Requirements indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), was required.

On 15 May 2007, applicant submitted a declaration under PCT Rule 4.17 in the French language executed by the inventors.

DISCUSSION

The declaration submitted on 24 July 2006 and resubmitted 15 May 2007 in response to the Notification of Missing Requirements, was filed under PCT Rule 4.17 and signed by the inventors. However, the declaration does not identify the international application to which it is directed and thus, does not comply with 37 CFR 1.497(a) and (b). See also PCT Administrative Instruction 214, which states that the declaration must be directed to the PCT application if the declaration is furnished pursuant to PCT Rule 26*ter*.2. It is evident that the declaration was not filed with the Request form and international application but filed thereafter, since the Request was filed on 09 February 2005 and the declarations were executed on 29 March 2005, 18 April and 26 May 2005. The declaration does not meet the requirements of PCT Rule 26*ter*.2 or the requirements of 37 CFR 1.497(a) and (b). See MPEP 1893.01(e). The declaration submitted on

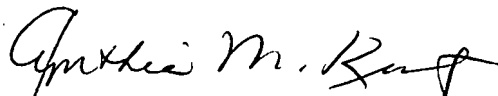
24 July 2006 is unacceptable.

A newly executed declaration is required. Applicant is reminded that whenever an individual making an oath or declaration cannot understand English, the oath or declaration must be in a language that such individual can understand and shall state that such individual understands the content of document. *See* 37 CFR 1.69.

CONCLUSION

Applicant is required to file a newly executed declaration, in compliance with 37 CFR 1.63 and 1.497(a) and (b) within the time limit of one month from the date of this letter or within the time remaining in the response period of the Notification of Missing Requirements, whichever is longer. NO EXTENSION OF THIS TIME MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b) BUT THE PERIOD FOR RESPONSE SET IN THE NOTIFICATION OF MISSING REQUIREMENTS MAY BE EXTENDED UP TO A MAXIMUM OF FIVE MONTHS.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Cynthia M. Kratz
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292
Facsimile: 571-273-0459